

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

GREAT DANE LIMITED)
PARTNERSHIP,)

Plaintiff,)

v.)

Civil Case Number 3:08-cv-89

STOUGHTON TRAILERS, LLC and)
NEWCOURT, INC.,)

Defendants.)

**REPLY OF PLAINTIFF GREAT DANE LIMITED PARTNERSHIP
TO DEFENDANT NEWCOURT, INC.'S COUNTERCLAIMS**

Plaintiff Great Dane Limited Partnership ("Great Dane"), hereby replies to the Counterclaims of the Defendant Newcourt, Inc. ("Newcourt") as follows:

COUNTERCLAIMS

The Parties

1. Great Dane admits the allegations contained in paragraph 1.
2. Great Dane admits the allegations contained in paragraph 2.

Jurisdiction and Venue

3. Great Dane admits the allegations contained in paragraph 3.
4. Great Dane admits the allegations contained in paragraph 4.
5. Great Dane admits the allegations contained in paragraph 5.

Count One:
Counterclaim for a Declaration of Non-infringement of the Patents In Suit

6. Great Dane incorporates by reference its responses to paragraphs 1 through 5.

7. Great Dane denies the allegations contained in paragraph 7, except that Great Dane admits that an actual and justiciable controversy has arisen and now exists between Newcourt and Great Dane and, by its Amended Complaint, Great Dane has asserted claims alleging infringement of the '018 and '493 Patents by Newcourt.

8. Great Dane denies the allegations contained in paragraph 8, except that Great Dane admits that an actual and justiciable controversy has arisen and now exists between Newcourt and Great Dane and that Newcourt seeks a declaration that Newcourt does not infringe the '018 and '493 Patents.

Count Two:
Counterclaim for a Declaration the Patents In Suit are Invalid

9. Great Dane incorporates by reference its responses to paragraphs 1 through 8.

10. Great Dane denies the allegations contained in paragraph 10, except that Great Dane admits that an actual and justiciable controversy has arisen and now exists between Great Dane and Newcourt and, by its Amended Complaint, Great Dane has asserted that the '018 and '493 Patents are valid.

11. Great Dane denies the allegations contained in paragraph 11, except that Great Dane admits that an actual and justiciable controversy has arisen and now exists between Newcourt and Great Dane and that Newcourt seeks a declaration that the '018 and '493 Patents are invalid.

WHEREFORE, Great Dane respectfully requests this Court enter judgment in its favor, and against Defendant Newcourt, Inc. as follows:

- (a) That U.S. Patent Nos. 6,652,018 and 6,923,493 are valid, enforceable and infringed by Newcourt;
- (b) A permanent injunction against Newcourt enjoining them, their directors, officers, agents, employees, successors, subsidiaries, assigns, and all persons acting in privity or in concert or participation with Defendants from making, using, selling, or offering for sale in the United States, or importing into the United States, any and all products and/or services embodying the patented inventions claimed in the '018 and '493 Patents;
- (c) Awarding such damages to Great Dane to which it is entitled;
- (d) Awarding enhanced damages for willful infringement;
- (e) Awarding Great Dane pre-judgment and post judgment interest as allowed by law;

- (f) Awarding Great Dane its costs, expenses, and fees, including reasonable attorneys' fees pursuant to 35 U.S.C § 285; and
- (g) Awarding such other relief as the Court deems just and proper.

This 17th day of February, 2009.

Respectfully submitted,

HUNTER, MACLEAN, EXLEY & DUNN,
P.C.

s/John M. Tatum

John M. Tatum

Georgia State Bar Number 699000

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CERTIFICATE OF SERVICE

This is to certify that on the 17th day of February, 2009, the within and foregoing document was electronically filed via the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

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